

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

REX WU, JR.,

Defendant.

CR 25–19–BU–DLC

ORDER

Before the Court is United States Magistrate Judge Kathleen L. DeSoto’s Findings & Recommendation Concerning Plea. (Doc. 16.) Because neither party objected, they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Rex Wu, Jr. is charged with one count of cyberstalking, in violation of 18 U.S.C. §§ 2261A(2)(B) and 2261(b), as set forth in the sole count of the Information. (Doc. 1.) Judge DeSoto recommends that this Court accept Wu’s guilty plea as to the sole count after Wu appeared before her pursuant to Federal

Rule of Criminal Procedure 11. The Court finds no clear error in Judge DeSoto's Findings and Recommendation and adopts them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Judge DeSoto's Findings and Recommendation (Doc. 16) is ADOPTED in full.

IT IS FURTHER ORDERED that Wu is adjudged guilty as charged in the sole count of the Information

DATED this 24th day of July, 2025.



Dana L. Christensen, District Judge
United States District Court